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1 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2 In Re Application of:
3 Alfred E. Mann

4 Applic.: 10/702,565

5 Filed: 11/05/2003

6 For: IMPLANTED OUTER EAR CANAL
7 HEARING AID



Petition To Accept An Unintentionally
Delayed Claim For The Benefit Of
A Prior-Filed Application

8 Commissioner for Patents
9 Alexandria, VA 22313-1450

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11 This Petition is submitted pursuant to 37 CFR 78 for the purpose of claiming
12 priority based on U.S. Application 10/264,937 (now Patent 6,879,695 issued April
13 12, 2005). More particularly, applicants desire to amend this application to recite
14 that it is a continuation-in-part of said Application 10/264,937 filed October 3, 2002.

15 An amendment responding to the Office Action dated 01/31/2006 is
16 enclosed.

17 Applicants state that the entire delay between the date the claim for priority
18 was due under Rule 78 and the date of this Petition was unintentional.

19 Please charge our Deposit Account 501232 to cover the fee of \$1,370
20 (1.17(t)).

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1 Prompt favorable consideration of this Petition is courteously requested. If
2 for any reason, this Petition is considered deficient, the examining attorney is
3 requested to telephone applicants' undersigned attorney to expedite resolution.

Respectfully submitted,

Arthur J. Schlesinger, Jr.

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DEPOSIT ACCOUNT AUTHORIZATION:

24 Throughout the prosecution of this application the Patent and Trademark
25 Office is authorized to charge any additional fees which may be required,
or credit any overpayment to Account No. 501232. Enclosed is a
duplicate copy of this sheet.

ARTWORK BY RELEIGH, Reg. No. 19,267

CERTIFICATION OF MAILING:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop: PETITIONS, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, 28 April 2006.

ANTHONY RELEIGH